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14 FEDEX FREIGHT, INC.

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN JOSE DIVISION

18 ROY D. TAYLOR, ARLETHA FLUD,
19 THOMAS J. WOOD, ERNEST C.
20 HARVEY, II, individually, and on behalf
21 of all other similarly situated.,

22 Plaintiff,

23 v.

24 FEDEX FREIGHT, INC., an Arkansas
25 Corporation, and DOES 1 through 20,
26 inclusive,

27 Defendant.

28 Case No. 5:10-CV-02118 LHK

**JOINT STIPULATION AND
PROPOSED ORDER REGARDING
IN-PERSON MEDIATION SESSION
TO BE HELD AFTER DISPOSITIVE
MOTIONS**

29 WHEREAS, the parties have previously mediated this case on two occasions, most
30 recently on February 17, 2011, before private mediator Lisa Klerman;

31 WHEREAS, the parties were unsuccessful in settling the matter at the time of the
32 mediation, but have continued to have discussions through Ms. Klerman regarding resolution of the
33 case; and

WHEREAS, the parties agree that any settlement discussions will be more productive after the proposed dispositive motions (cross motions for summary judgment/adjudication and Defendant's motion for decertification) have been filed and heard;

WHEREAS, at the Case Management Conference hearing held on March 2, 2011, this Court ordered that the parties continue settlement discussions and that they attend another in-person mediation session following motion practice;

WHEREAS, the parties agree that they will participate in telephonic mediation discussions through Ms. Klerman after the filing of the aforementioned motions;

WHEREAS, the parties agree that they will attend an in-person mediation following the hearing on those motions, which the parties agreed to set for June 7, 2011.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs Roy Taylor, Arletha Flud, Thomas Wood and Ernest Harvey and Defendant FedEx Freight, Inc., through their respective counsel, and subject to approval by the Court, that the date for the in-person mediation be set for June 7, 2011. The parties and Ms. Klerman are available on this date.

Dated: March 9, 2011

/s/

Dated: March 9, 2011

/s/
JAMES ASHWORTH
LAW OFFICES OF MARY ALICE
COLEMAN
Attorneys for Plaintiffs

